



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

GARY SPACKMAN

Director

December 17, 2012

PAUL MICKELSEN FARMS INC
687 N 800 E
RUPERT ID 83350

RE: APPLICATION TO LEASE WATER RIGHT NO. 36-2258A TO THE WATER SUPPLY BANK

Dear Lessor:

The Department of Water Resources has completed its review of your applications to lease the above-mentioned water right numbers to the Water Supply Bank. The offered water rights are accepted into the Bank in accordance with the attached Water Supply Bank Lease Acceptance. If you do not agree with the conditions of the Lease Acceptance and would like to withdraw your water rights from the Bank, you must contact the Department within thirty (30) days of receipt of this notification.

The rights will automatically be released from the Bank on **December 31, 2017**, unless the rights are released earlier by the Board, or upon request by the lessor. To change the term of the lease or to release the rights from the Bank, you must submit a request in writing, along with all applicable fees, to the Department prior to the release date. Be aware your rights may not be available for immediate release if they have been rented.

Please review the conditions of acceptance listed on the Lease Acceptance, including #3 which says, "While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

I have attached a map for your review. You offered 10 acres to the Bank for lease. I reviewed your lease application and the available satellite imagery with Cindy Yenter, Watermaster for Water District 130, and we found fewer acres available for lease. Your water right authorizes the irrigation of 165 acres and we found that in 2011 you were irrigating 162.3 acres. In the attached map, I have broken down the irrigation by 40-acre tract and put text boxes in each tract. In each text box, I have written how many acres are authorized and how many Cindy and I found to be irrigated in 2011. The pink outline shows the acres irrigated in 2011. You will see in some acres you are irrigating more than authorized by your water right, and in some you are irrigating less. You may want to review your water right and irrigation practices to determine if you should file a transfer to better describe your irrigation practice.

Contact me at (208) 287-4907 if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Monica Van Bussum". The signature is fluid and cursive, with the first name "Monica" being more prominent than the last name "Van Bussum".

Monica Van Bussum
Sr. Water Resource Agent

Enclosure(s)

c: Allen Merritt – IDWR Southern Regional Office
Cindy Yenter – Watermaster, Water District 130

36-2258A Irrigation in 2011

